



Los Angeles Regional Water Quality Control Board

October 29, 2019

Matthew Arms
Acting Director of Environmental Planning
Port of Long Beach
4801 Airport Plaza Drive
Long Beach, CA 90815

TRANSMITTAL OF CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND WASTE DISCHARGE REQUIREMENTS (WDRs) FOR PORT OF LONG BEACH PIER G WHARF IMPROVEMENTS PROJECT (FILE NO. 01-009)

Dear Mr. Arms,

The Los Angeles Regional Water Quality Control Board's (Regional Water Board's) letter dated August 14, 2019, transmitted the Tentative Clean Water Act Section 401 Certification and Waste Discharge Requirements (with Attachment A Standard Provisions) for the Port of Long Beach Pier G Wharf Improvements Project.

In accordance with administrative procedures, this Regional Water Board at a public hearing held on October 10, 2019, reviewed the tentative requirements, considered all the factors in the case, and adopted Order No. R4-2019-0073, as proposed, for the Port of Long Beach Pier G Wharf Improvements Project.

The adopted Permit will be sent only to the Discharger. However, these documents are available on the Regional Water Board's website for your review. The Regional Water Board's web address is www.waterboards.ca.gov/losangeles/.

If you have any questions regarding this proposed action, please contact me at (213) 620-2083 or via email at cris.morris@waterboards.ca.gov

Sincerely,

A handwritten signature in blue ink that reads "Cris Morris".

Cris Morris, P.E., P.M.P.

Watershed Regulatory Section Chief

Enclosures:

Tentative Waste Discharge Requirements
Monitoring and Reporting Program

cc:

Elizabeth Payne, Water Quality Certification Unit, SWRCB
Melissa Scianni, U.S. Environmental Protection Agency
Allan Ota, U.S. Environmental Protection Agency
Theresa Stevens, U.S. Army Corps of Engineers
Lisa Mangione, U.S. Army Corps of Engineers
Szijj, Antal, U.S. Army Corps of Engineers
Bryant Chesney, National Marine Fisheries Service
Loni Adams, California Department of Fish and Wildlife
Carol Roberts, U.S. Fish and Wildlife Service
Larry Simon, California Coastal Commission
Annalisa Moe, Heal the Bay
James Vernon, Dylan Porter, and Janna Morimoto, Port of Long Beach

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
ORDER NO. R4-2019-0117**

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND
WASTE DISCHARGE REQUIREMENTS
FOR
PORT OF LONG BEACH
PIER G WHARF IMPROVEMENTS PROJECT
(FILE NUMBER 01-009)**

A. FINDINGS

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter Regional Water Board) issues this Order pursuant to California Water Code section 13263, and finds:

1. The Port of Long Beach (POLB) Pier G Terminal Redevelopment Project (formerly the Pier G/J Terminal Redevelopment Project) involves the redevelopment of portions of Pier G and J (collectively referred to as “Pier G”) to create the Pier G Container Terminal (Refer to Figure 1). This expanded terminal will be able to accommodate vessels with a capacity up to 14,000 twenty-foot equivalent units that are projected to call at the terminal within the next five years. The proposed project was divided into multiple phases of development and has been under construction since the early 2000s. The Pier G Terminal Redevelopment Project is permitted under Department of the Army Clean Water Act section 404 Permit Number 2001-00395-AOA with an extended completion date of December 31, 2027. As the details of each phase of the project have been developed, the Port has applied for separate Waste Discharge Requirements (WDRs) from the Water Board.
2. This Order pertains to Stage 1 of the third phase, which involves constructing the remainder of the Pier G Slip Fill (i.e. the Pier G South Slip Fill). The North portion of the slip (i.e. Pier G North Slip Fill) was filled in 2011. The South Slip fill will be split into two stages. Stage 1, the Pier G wharf improvements, involves filling in a small portion, approximately 2 acres, and constructing an approximately 247 linear feet wharf extension. Stage 2 involves filling in the rest of the slip and constructing a wharf to connect the existing Berth G232 wharf and the new Berth G236 wharf extension.
3. Due to its current wharf configuration, the Pier G International Transportation Services terminal has a limited capability to serve larger containerships. The Port developed Berths G232 and G236 in early 2000s as part of earlier phases of the Pier G Redevelopment Program (Program). Stage 2, the Pier G South Slip Fill, involves completing the slip fill and constructing a third wharf to connect Berths 232 and 236. Once completed, the redeveloped Pier G Terminal will be able to provide the POLB with sufficient facilities to process increasing cargo and the wharf configuration needed to serve larger containerships.

4. The scope of work covered by this Order includes Stage 1 of the third phase, the Pier G Wharf Improvements Project. POLB will apply for separate WDRs for Stage 2 of the third phase, the Pier G South Slip Fill, once details are developed.

The Stage 1 – Pier G Wharf Improvements involves the following activities:

- Demolition of approximately 100 feet of existing pile-supported concrete wharf at Berth G235. Scrap steel will be recycled and rock/concrete will be taken to the Port's crusher site to be crushed into miscellaneous road base. Non-recyclable debris and materials will be disposed of at upland disposal facilities appropriate for the type of debris generated and in accordance with federal and state regulations.
- Construction of a rock dike with armor stone revetment consisting of approximately 380,000 tons of quarry run rock and 13,100 tons of armor stone.
- Dredging of approximately 5,500 cubic yards (cy) of material from Berths 235 and 236 to a depth of -60 feet mean lower low water (MLLW) (plus 2 feet of overdredge to -62 feet) to prepare the key/toe for the rock dike. The dredge area is shown in Figure 2 and the dredged material will be physically removed by mechanical methods (e.g. bucket dredge equipment) and temporarily placed on barges or bottom dump scows before being placed in the fill site.
- Rock closure dikes will be constructed to prevent the movement of newly placed material and to contain the final fill while supporting new wharves and shorelines. New dikes will consist of quarry-run rock with armor rock revetments below the water line and granular soil materials above the water line. The dredged material will be placed as fill material at the project site once the dike has been constructed. Approximately 105,000 linear feet of wick drains will be installed over the water by barge with a minimum depth of approximately 15 feet below the existing mudline, which is varying approximately between -30 feet and -50.0 feet MLLW. After completion of wick drain installation, approximately 380,000 tons of quarry run will be placed over the mudline as fill to an elevation of +8 feet MLLW. Quarry run will be placed in two lifts. Quarry Run Lift 1 will be constructed first to allow the temporarily stored dredged material to be placed in the fill. Quarry Run Lift 2 will be placed to an elevation of +8 feet MLLW. Approximately 25,500 cubic yards of imported granular soil will be used as fill material and placed at an elevation +8.0 feet to +14.0 feet MLLW.
- Once the fill reaches elevation +14.0 feet MLLW (above high tide line which is 5.43 feet), approximately 26,000 cubic yards of surcharge material consisting of crushed miscellaneous base material will be placed on the fill site for backlands development. Once the surcharge stage has been completed, the surcharge will be removed and transported to the POLB Rubble Site (refer to Figure 1).
- Installation of storm drain line and outfall facilities, water system, electrical/communication system such as high mast light poles, conduits, wiring for cold ironing, power outlet and relocation of communications equipment.
- Construction of approximately 247 linear feet of pile-supported concrete wharf structure with all appurtenances including crane rail, crane stops, bollards, fenders,

utilities, paving and striping. This will involve driving up to approximately 184, 24-inch diameter concrete piles. The concrete piles will be installed from the waterside with an impact hammer. It will take approximately 60 working days to complete the pile driving.

5. The Pier G Wharf Improvements Project will replace approximately 2 acres of water with fill materials. It will take about 80 working days to perform demolition/removal of an existing concrete wharf and supporting 18-inch diameter concrete piles. Wharf construction is estimated to have a construction duration of approximately 270 working days. Total construction is estimated to be about 365 working days. Barges, cranes, bottom dump scows, mechanical equipment on barges, and clamshell dredge equipment will be utilized in the marine construction. The estimated start date for this project is 1st Quarter 2020 and construction is scheduled to be complete around 2022.
6. The Regional Water Board issued Waste Discharge Requirements in Order Numbers 01-042, R4-2006-0084, and R4-2008-0203 to the POLB for Phases 1,2, and the Pier G North Slip Fill, respectively for the Pier G Redevelopment Project.
7. As lead agency, the Port of Long Beach Board of Harbor Commissioners certified the Environmental Impact Report (EIR)/Application Summary Report for the Pier G (Formerly Piers G and J) Terminal Development Project (SCH# 2000-021021) in September 2000. Mitigation measures have been incorporated into the project due to the unavoidable loss of marine habitat due to the landfill. The mechanism established by state and federal resource trustee agencies to mitigate for loss of marine habitat and to comply with the No Net Loss Wetlands Policy (Executive Order W-59-93), is the creation of "in-kind" habitat. Available credits from the restoration of the Bolsa Chica wetland are being used to offset the loss of 53.3 acres of marine habitat impacted by the fill, including the 2 acres of the third phase. The Regional Water Board, as a responsible agency under CEQA, finds that all environmental effects have been identified for project activities that it is required to approve, and that the project will not have significant adverse impacts on the environment provided that the mitigation presented in the final EIR and additional best management practices set forth in the provisions below are carried out as conditioned in this Order. In adopting this Order, the Regional Water Board has eliminated or substantially lessened the less-than-significant effects on water quality, and therefore approves the project.
8. A sediment characterization study was conducted for Berths 235 and 236 in March 2019. Sediment core samples were collected at three locations within the project area and combined into a single composite for grain size and chemical analyses. The three sample locations are indicated in Figure 3.
9. Grain size analyses from Berths 235 and 236 indicated that the sediments are fine-grained and comprised predominantly of silt and clay (82.9 %) and fine / very fine sand (17.1%). The composite sample only exceeded the concentration thresholds which possibly could cause toxicity (Effects Range-Low) (ER-L) to marine organisms for copper, nickel, 4,4'-DDE, total DDT, and total chlordane (Refer to Table 1).
10. Given the limited number of ER-L exceedances (copper, nickel, 4,4'-DDE total DDT, and total chlordane) and no Effects Range-Median (ER-M) exceedances, the

contaminated sediments are suitable as fill material behind a rock dike at the Pier G wharf extension project.

11. The United States Army Corps of Engineers (COE) has permitted the Pier G Terminal Redevelopment Project under Permit Number 2001-00395-AOA (with amendments). The Harbor Development Permit/Coastal Development Permit for this project is HDP-00-007.
12. The Water Quality Control Plan for the Los Angeles Region (Basin Plan) designates the beneficial uses of the Coastal Watersheds of Los Angeles and Ventura Counties and establishes water quality objectives for Los Angeles-Long Beach Harbor. The requirements contained in this Order implement the Basin Plan.
13. The beneficial uses of Los Angeles-Long Beach Harbor (All Other Inner Areas) are: industrial process supply, navigation, water contact recreation (potential), non-contact water recreation, commercial and sport fishing, marine habitat, shellfish harvesting (potential), and preservation of rare, threatened or endangered species (one or more species utilize waters or wetlands for foraging and/or nesting).
14. With proper management of the dredging and disposal operations, as proposed by POLB and as conditioned in this Order, the project is not expected to release significant levels of contaminants to the Harbor waters or other State waters, nor adversely impact beneficial uses.
15. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.
16. Any aggrieved person may petition the State Water Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be received by the State Water Board at the following address within 30 calendar days of the Regional Water Board's action:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

For instructions on how to file a petition for review, see:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.s.html

IT IS HEREBY ORDERED that the POLB, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act as amended, and regulations and guidelines adopted thereunder, shall comply with the following conditions and requirements:

B. DISCHARGE REQUIREMENTS

1. The removal and placement of dredged/excavated material shall be managed such that the concentrations of toxic pollutants in the water column, sediments or biota shall not adversely affect existing and designated beneficial uses, including those identified in Finding number 11 above.
2. Marine and enclosed bay and estuarine communities and populations, including vertebrate, invertebrate and plant species, shall not be degraded as a result of the discharge of waste.
3. The natural taste and odor of fish, shellfish or other marine and enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.
4. Toxic pollutants shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.
5. There shall be no acute toxicity or chronic toxicity in ambient waters as a result of the discharge of waste.
6. Dredging, excavation or disposal of dredge spoils shall not cause any of the following conditions in the receiving waters:
 - a. The formation of sludge banks or deposits of waste origin that would adversely affect the composition of the bottom fauna and flora, interfere with the fish propagation or deleteriously affect their habitat, or adversely change the physical or chemical nature of the bottom.
 - b. Turbidity that would cause substantial visible contrast with the natural appearance of the water outside the immediate area of operation.
 - c. Discoloration outside the immediate area of operation.
 - d. Visible material, including oil and grease, either floating on or suspended in the water or deposited on beaches, shores, or channel structures outside the immediate area of operation.
 - e. Objectionable odors emanating from the water surface.
 - f. Depression of dissolved oxygen concentrations below 5.0 milligrams per liter at any time outside the immediate area of operation.
 - g. Any condition of pollution or nuisance.

C. PROVISIONS

1. These WDRs and Clean Water Act Section 401 Water Quality Certification are only valid for dredging a maximum of 5,500 cy of sediment and soil, with disposal of the dredged material at the Pier G fill site.
2. POLB shall notify this Regional Water Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials or disposal operations; written confirmation shall follow within one week.
3. Clean Water Act Section 401(d) and CWC section 13267 authorize the Regional Water Board to require technical and monitoring reports. The attached MRP establishes monitoring and reporting requirements to implement federal and state requirements.

CWC section 13267(b) states, in part:

In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging or proposes to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region shall furnish under penalty of perjury, technical or monitoring program reports which the Regional Board requires. The burden, including costs of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports.

4. The POLB shall conduct the monitoring required and comply with the reporting requirements outlined in the attached Monitoring and Reporting Program, which is part of these Waste Discharge Requirements and a condition of water quality certification. The burden, including costs, of conducting the monitoring and providing the reports required by this Order bears a reasonable relationship to the need for the monitoring/reports and the benefits to be obtained from the data and reports. Specifically, the required monitoring and reports will confirm that the dredging operations authorized by this Order will protect beneficial uses and verify compliance with this Order.
5. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a “take” will result from any act authorized under this Order, the POLA must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The POLB is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.
6. A copy of this Order shall be made available at all times to project construction personnel.
7. POLB shall provide the following information to the Regional Water Board
 - a. The scheduled date of commencement of each dredging operation and an engineering plan and profile of the excavation and the disposal site at least two weeks prior to commencement.
 - b. Notice of termination of the operation, within one week following the termination date.
8. POLB shall submit, under penalty of perjury, technical reports to the Regional Water Board in accordance with any specifications directed by the Executive Officer.
9. In accordance with section 13260(c) of the Water Code, POLB shall file a report of any material change or proposed change in the character, location, or volume of the waste.

10. These requirements do not exempt POLB from compliance with any other laws, regulations, or ordinances which may be applicable, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
11. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.
12. This Order includes Attachment A: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions") and the attached Monitoring and Reporting Requirements, both of which are incorporated herein by reference. If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated herein prevail. If there is any conflict between requirements stated in the attached Monitoring and Reporting Program and said "Standard Provisions", the former shall prevail.
13. This Order certifies, pursuant to Clean Water Act Section 401 Water Quality Certification, that the proposed project, as conditioned by this Order complies with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards). Pursuant to section 3860 of title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project
 - a. this certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with 23 CCR section 3867);
 - b. this certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought;
 - c. this certification is conditioned upon total payment of any fee required pursuant to 23 CCR division 3, chapter 28, and owed by the applicant.
14. This Order shall expire on October 31, 2024.

I, Renee Purdy, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on October 10, 2019.



Renee Purdy
Executive Officer

Figure 1. Location Map for the Port of Long Beach

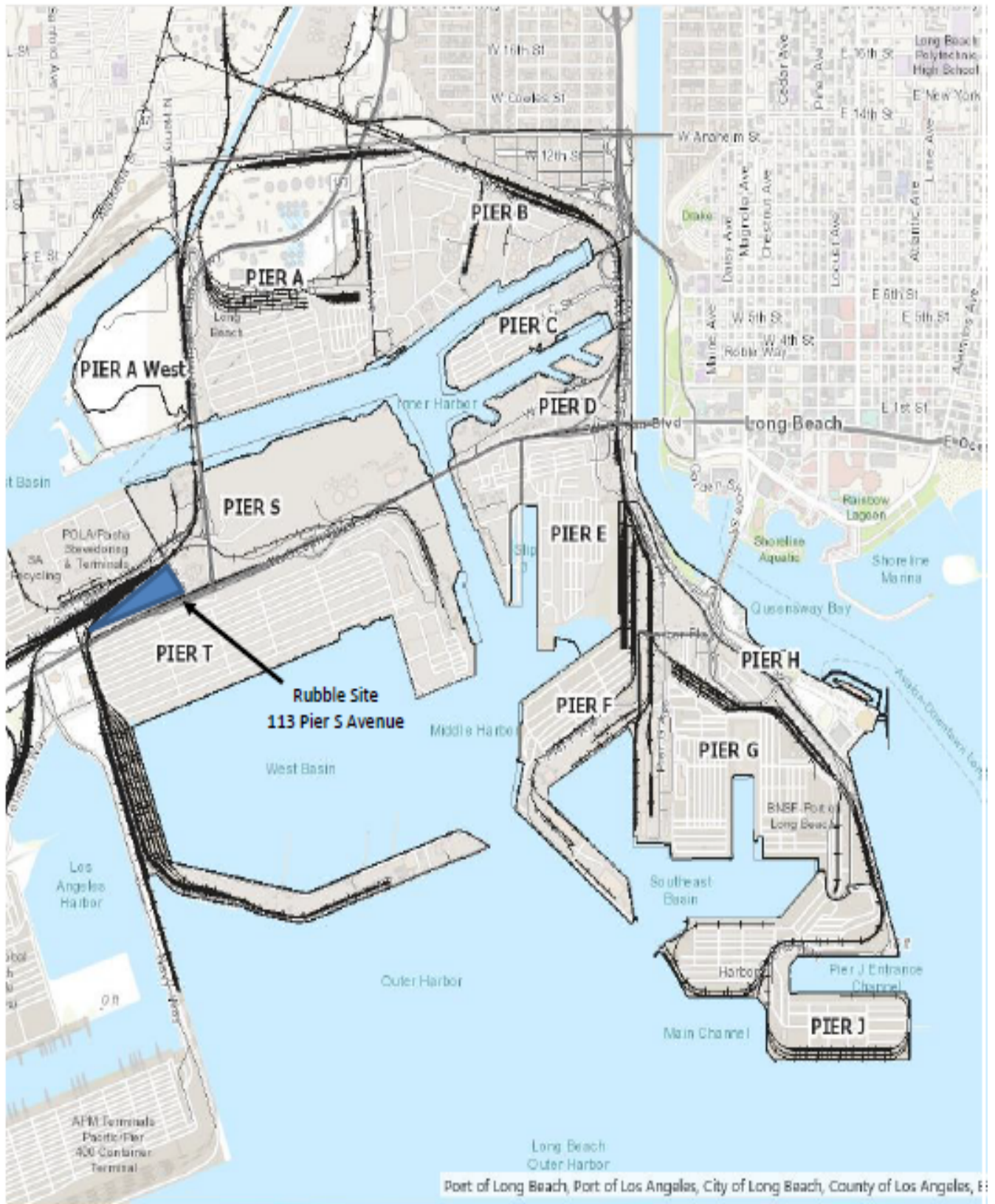


Figure 2. Project Location



Figure 3. Sample Core Locations at Pier G

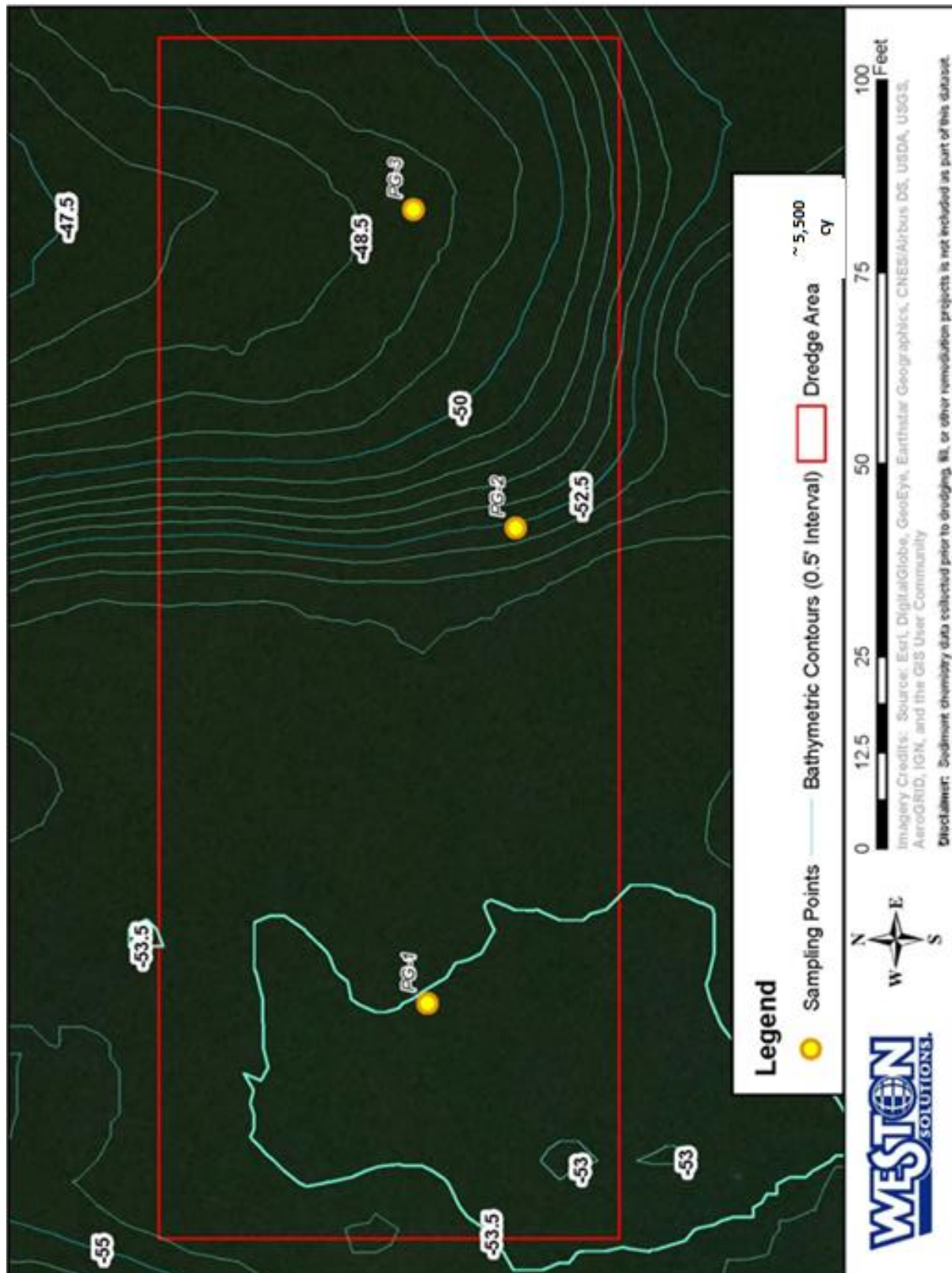


Table 1. Sediment Characteristics (March 2019) – Pier G

Parameter	Composite	Sediment Screening Thresholds
Arsenic ¹	7.86 mg/kg ²	ERL ³ = 8.2 mg/kg ERM ⁴ = 70 mg/kg
Cadmium	0.29 mg/kg	ERL= 1.2 mg/kg ERM= 9.6 mg/kg
Chromium	30.7 mg/kg	ERL= 81 mg/kg ERM= 370 mg/kg
Copper	55.8 mg/kg	ERL= 34 mg/kg ERM= 270 mg/kg
Mercury	0.113 mg/kg	ERL= 0.15 mg/kg ERM= 0.71 mg/kg
Nickel	22.5 mg/kg	ERL= 20.9 mg/kg ERM= 51.6 mg/kg
Lead	17.3 mg/kg	ERL= 46.7 mg/kg ERM= 218 mg/kg
Selenium	2.29 mg/kg	Not available
Zinc	93.5 mg/kg	ERL= 150 mg/kg ERM= 410 mg/kg
Silver	0.329 mg/kg	ERL= 1mg/kg ERM= 3.7 mg/kg
4,4'-DDE ⁵	11 µg/kg ⁶	ERL = 2.2 µg/kg ERM = 27 µg/kg
Total Detectable DDTs ⁷	13.3 µg/kg	ERL = 1.58 µg/kg ERM = 46.1 µg/kg
Total Detectable Chlordane	1.3 µg/kg	ERL = 0.5 µg/kg ERM = 6 µg/kg
Total Polychlorinated Biphenyls	13.65 µg/kg	ERL= 22.7 µg/kg ERM= 180 µg/kg
Total PAH. ⁸	581.2 µg/kg	ERL = 4022 µg/kg ERM = 44,792 µg/kg

¹ Analyte was found in associated method blank

² mg/kg means milligram per kilogram

³ ERL means Effects Range-Low

⁴ ERM means Effects Range-Medium

⁵ DDE means dichloro-diphenylethylene

⁶ µg/kg means microgram per kilogram

⁷ DDT means dichloro-diphenyltrichloroethane

⁸ PAH means polynuclear aromatic hydrocarbons

ATTACHMENT A – STANDARD PROVISIONS, GENERAL MONITORING AND REPORTING REQUIREMENTS

A. Duty to Comply

The Project Sponsor must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Water Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Water Board. (CWC Sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350, 13385). Failure to comply with any waste discharge requirement, monitoring and reporting requirement, or other order or prohibition issued, reissued or amended by the Regional Water Board or State Water Board is a violation of these waste discharge requirements and the Water Code, which can result in the imposition of civil liability. (CWC Sections 13350 and 13385).

B. General Prohibition

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the CWC. In addition, the discharge of waste classified as hazardous, as defined in California Code of Regulations, Title 23, Section 2521, subdivision (a) is also prohibited.

C. Availability

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel.

D. Change in Ownership

The Project Sponsor shall notify any succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Water Board. The Permittee shall notify the Regional Water Board, in writing, at least 60 days in advance of ownership change and provide a date on which the transfer of this Order's responsibility and coverage will go from the current Discharger to the new discharger. The notification shall include an agreement between the parties to transfer responsibility for compliance with the Order. The agreement shall include an acknowledgement that the existing Discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date forward. The succeeding owner or operator shall submit an updated application that requests an amendment to formally amend the Order to acknowledge the transfer.

E. Change in Discharge

In the event of a material change in the character, location, or volume of a discharge, the Project Sponsor shall file with this Regional Water Board a new application (CWC Section 13260, subdivision (c)). A material change includes, but is not limited to, the following:

- a. Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.

- b. Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- c. Increase in flow beyond that specified in the waste discharge requirements.
- d. Increase in area or depth to be used for disposal beyond that specified in the waste discharge requirements. (CCR Title 23 Section 2210).

In addition, modifications to project may require an amendment of the Order. The Project Sponsor shall give advance notice to the Regional Water Board staff if project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform the Regional Water Board staff of any project modifications that will interfere with the permittee's compliance with the Order.

F. Revision

These waste discharge requirements are subject to review and revision by the Regional Water Board. (CWC Section 13263).

G. Notification

Where a project sponsor becomes aware that it failed to submit any relevant facts in a receiving water monitoring report or submitted incorrect information in a receiving water monitoring report or in any report to the Regional Water Board, it shall promptly submit such facts or information. (CWC Sections 13260 and 13267).

H. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect a Project Sponsor from his liability under Federal, State or local laws, nor do they create a vested right for the Project sponsor to continue the waste discharge. (CWC Section 13263, subdivision (g)).

I. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected. (CWC Section 921).

J. Operation and Maintenance

The Project Sponsor shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Project Sponsor to achieve compliance with conditions of this Order. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. (CWC Section 13263, subdivision (f)).

K. Hazardous Releases Requirement

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Water Board or the appropriate Regional Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the California Water Code unless the discharge is in violation of a prohibition in the applicable Water Quality Control plan. (CWC Section 13271, subdivision (a)).

L. Oil or Petroleum Releases

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any water of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. (CWC Section 13272).

M. Investigations and Inspection

The Project Sponsor shall allow the Regional Water Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the Project Sponsor's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order.
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this Order.
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
4. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. (CWC Section 13267).

Except for material determined to be confidential in accordance with applicable law, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the office of the Los Angeles Regional Water Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.

N. Monitoring Program and Devices

The Project Sponsor shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. (CWC Section 13267).

All monitoring instruments and devices used by the discharge to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the Project Sponsor shall submit to the Executive Officer a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

The analysis of any material required pursuant to Division 7 of the Water Code shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. However, this requirement does not apply to field tests, such as test for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual chlorine. (CWC Section 13176).

Unless otherwise permitted by the Regional Water Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Water Resources Control Board's Division of Drinking Water. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136) promulgated by the U.S. Environmental Protection Agency. (CCR Title 23, Section 2230). The Quality Assurance-Quality Control Program must conform to the USEPA Guidelines "Laboratory Documentation Requirements for Data Validation", January 1990, USEPA Region 9) or procedures approved by the Los Angeles Regional Water Quality Control Board.

All quality assurance and quality control (QA/QC) analyses must be run on the same dates when samples were actually analyzed. All QA/QC data shall be reported, along with the sample results to which they apply, including the method, equipment, analytical detection and quantitation limits, the percent recovery, and explanation for any recovery that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (e.g., field, trip, or lab blanks); the accompanying sample results shall be appropriately flagged.

The Project Sponsor shall make all QA/QC data available for inspection by Regional Water Board staff and submit the QA/QC documentation with its respective quarterly report. If required, proper chain of custody procedures must be followed, and a copy of that documentation shall be submitted with the quarterly report.

O. Operation Failure

In an enforcement action, it shall not be a defense for the Project Sponsor that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the facility, the Project Sponsor shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored, or an alternative method is provided. (CWC Section 13263(f)).

P. Discharge to Navigable Waters

Any person who discharges pollutants or proposes to discharge pollutants to navigable waters of the United States within the jurisdiction of this state or a person who discharges dredged or fill material or proposes to discharge dredged or fill material into navigable waters of the United States within the jurisdiction of this state shall file a report of waste discharge in compliance with the procedures set forth in Water Code section 13260. (CWC Section 13376).

Q. Endangerment to Health and Environment

The Project Sponsor shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Project Sponsor becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Project Sponsor becomes aware of the circumstances. The written submission shall contain a description and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. Maintenance of Records

The Project Sponsor shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Water Board Executive Officer.

Records of monitoring information shall include:

- The date, exact place, and time of sampling or measurements.
- The individual(s) who performed the sampling or measurements.
- The date(s) analyses were performed.
- The individual(s) who performed the analyses.
- The analytical techniques or method used.
- The results of such analyses.

R. Signatory Requirement

1. All application reports or information to be submitted to the Executive Officer shall be signed and certified as follows:
 - a. For a corporation – by a principle executive officer or at least the level of vice president.
 - b. For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - c. For a municipality, state, federal or other public agency – by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
 - a. The authorization is made in writing by a person described in paragraph (a) of this provision.
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity.
 - c. The written authorization is submitted to the Executive Officer.

S. Continue Past Expiration Date

If the Project Sponsor/Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Project Sponsor/Discharger must apply for and obtain a new Order.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

R4-2019-0117

**MONITORING AND REPORTING PROGRAM NUMBER 8246
FOR
PORT OF LONG BEACH
PIER G WHARF IMPROVEMENTS PROJECT
(FILE NUMBER 01-009)**

1. Receiving Water Monitoring

The following sampling protocol shall be undertaken by the Port of Long Beach (POLB) during the proposed dredging project. Sampling for the receiving water monitoring shall commence at least one week prior to the start of the dredging and fill operations and continue at least one week following the completion of all such operations. Sampling shall be conducted a minimum of once a week during dredging operations. Sampling shall be conducted down current of the dredge sites at least one hour after the start of dredging operations. All receiving water monitoring data shall be obtained via grab samples or remote electronic detection equipment.

Due to the configuration of certain confined areas in the port (e.g. slips, and dead-end channels, corners of piers/wharfs within basins) and the fine-grained nature of dredged material in these locations, the POLB expects and has experienced prolonged suspension of dredge-mobilized particulates within confined areas. Light transmittance exceedances have been observed in the past under such conditions (only in the bottom-depth samples), but have been attributed to the configuration of the area and lack of tidal circulation, rather than due to dredging operation practices. Consequently, the sampling locations identified below are subject to change under these conditions. In the event that prolonged suspension of dredge-mobilized particulates persist within confined areas during the dredging operations, the monitoring stations may be located at the approximate distance, described below, from the designated project area boundary (e.g., entrance of the Southeast Basin), rather than from the actual dredging activity.

Receiving water samples shall be taken at the following stations:

<u>Station</u>	<u>Description</u>
A	30.5 meters (100 feet) up current of the dredging operations, safety permitting.
B	30.5 meters (100 feet) down current of the dredging operations, safety permitting.
C	91.5 meters (300 feet) down current of the dredging operations.
D	Control site (area not affected by dredging operations).

The following shall constitute the receiving water monitoring program:

October 10, 2019

Water Column Monitoring

<u>Parameters</u>	<u>Units</u>	<u>Station</u>	<u>Frequency</u>
Dissolved oxygen	milligram per liter (mg/l)	A to D	Weekly
Light transmittance	% Transmittance	A to D	Weekly
pH	pH units	A to D	Weekly
Suspended solids	mg/l	A to D	Weekly

- Measurements of Dissolved oxygen, Light transmittance and pH shall be taken throughout the water column (at a minimum, at 2-meter increments).
- Weekly includes during the first two weeks of dredging, stations shall be sampled two times per week.
- For suspended solids, mid-depth shall be sampled.

Water column light transmittance values from Stations C and D shall be compared for the near surface (1 meter below the surface), for mid-water (averaged values throughout the water column, excluding the near surface and bottom) and for the bottom (1 meter above the bottom). If the difference in % light transmittance between stations C and D for the near surface or mid-water or bottom is 30% or greater, water samples shall be collected at mid-depth (or the depth at which the maximum turbidity occurs) and analyzed for trace metals, DDTs, PCBs and PAHs. At a minimum, one set of water samples shall be collected and analyzed for these chemical constituents during the maintenance dredging operation.

In the event that the water column light transmittance values from Stations C and D exceed the 30% trigger described above, the POLB shall conduct the standard water quality monitoring described above for three consecutive days following the date of exceedance. The POLB shall notify the Regional Water Board, the California Coastal Commission, the United States Environmental Protection Agency and the United States Army Corps of Engineers within 24 hours following observance of the transmissivity exceedance. The POLB shall investigate whether the exceedance is due to obvious dredging operational problems and can be corrected easily and quickly. However, if the turbidity problem persists or recurs, the POLB shall look for other causes of the problem and evaluate whether additional, more aggressive best management practices are required to eliminate the exceedances; this evaluation shall be performed in consultation with the four regulatory agencies listed above.

Color photographs shall be taken at the time of sampling to record the presence and extent of visible effects of dredging operations. These photographs shall be submitted with the receiving water monitoring reports.

The POLB shall provide Regional Water Board staff with a receiving water monitoring program field schedule at least one week prior to initiating the program. Regional Water Board staff shall be notified of any changes in the field schedule at least 48 hours in advance.

2. Observations

The following receiving water observations shall be made and logged daily during dredging or excavating operations:

- a. Date and time;
- b. Direction and estimated speed of currents;
- c. General weather conditions and wind velocity;
- d. Tide stage;
- e. Appearance of trash, floatable material, grease, oil or oily slick, or other objectionable materials;
- f. Discoloration and/or turbidity;
- g. Odors;
- h. Depth of dredge operations during previous day;
- i. Amount of material dredged the previous day;
- j. Cumulative total amount of material dredged to date.

3. General Provisions

All sampling, sample preservation, and analyses shall be performed in accordance with the latest edition of "*Guidelines Establishing Test Procedures for Analysis of Pollutants*" promulgated by the United States Environmental Protection Agency.

All chemical analyses shall be conducted at a laboratory certified for such analysis by the State Division of Drinking Water Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer.

The POLB shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to insure accuracy of measurements or shall insure that both activities will be conducted by third parties under Port supervision.

A grab sample is defined as an individual sample collected in fewer than 15 minutes.

All samples shall be representative of the waste discharge under normal operating conditions.

4. Reporting

Monitoring reports shall be submitted within 10 days following each weekly sampling period. In reporting, the POLB shall arrange the monitoring data in tabular form so that dates, time, parameters, test data, and observations are readily discernible. The data shall be summarized to demonstrate compliance with the waste discharge requirements. A final report, summarizing the results of the weekly monitoring and reporting the total volume discharged, shall be submitted within one month of completion of the project.

Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This

section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

Each monitoring report must affirm in writing that:

All analyses were conducted at a laboratory certified for such analyses by the Environmental Laboratory Accreditation Program (ELAP), Division of Drinking Water or approved by the Executive Officer and in accordance with current USEPA guidelines or as specified in the Monitoring and Reporting Program.

For any analysis performed for which no procedure is specified in the EPA guidelines or in the Monitoring Program, the constituent or parameter analyzed, and the method or procedure used must be specified in the report.

All monitoring reports should be submitted electronically to the Regional Water Board via the following email address: losangeles@waterboards.ca.gov. All submittals should reference the compliance file (CI) number required by the Order. Please do not combine reports – each report should be submitted as a separate document.

5. General Provisions for Reporting

For every item where the requirements are not met, the POLB shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.

Each report shall contain the following completed declaration:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations.

Monitoring and Reporting Program Number 8246
Port of Long Beach
Pier G Wharf Improvements Project

Order Number R4-2019-0117

Executed on the ____ day of _____, 20____,
at _____.

_____(Signature)

_____(Title)"

These records and reports are public documents and shall be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:



Renee Purdy
Executive Officer

Date: October 10, 2019